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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 10th January, 1991/Pausa 20, 1912 (Saka)

The following President's Act is published for general information:—

THE PUNJAB PANCHAYAT SAMITIS AND ZILA PARISHADS (TEMPORARY SUPERSESSION) AMENDMENT ACT, 1991

No. 1 OF 1991

Enacted by the President in the Forty-first Year of the Pepublic of India.

An Act further to amend Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978.

In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President is pleased to enact as follows:— 24 of 1987.

1. This Act may be called the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Amendment Act, 1991. Short title.

Amendment of section 3 of Punjab Act 29 of 1978.

2. In the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978, in section 3, in the proviso to sub-section (*1*), for the words "twelve years and three months", the words "twelve years and nine months" shall be substituted.

R. VENKATARAMAN,
President.

K. L. MOHANPURIA,
Additional Secy. to the Govt. of India.

Reasons for the enactment

The Panchayat Samitis and Zila Parishads in the State were superseded by the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978 on the 12th October, 1978 for one year. This period had to be extended from time to time for one reason or the other. The present supersession period expires on the 11th January, 1991.

2. Sixteen members to a Panchayat Samiti are taken from the Gram Panchayats falling within the jurisdiction of a Panchayat Samiti. The normal term of the Gram Panchayats had expired in October, 1988. The elections to this tier of the Panchayati Raj Bodies are due. The Government proposed to hold elections to the Gram Panchayats in January, 1990 but due to law and order problems in the State these elections could not be held. If the elections to the Panchayat Samitis and Zila Parishads are held now without holding elections to the Gram Panchayats, most of the Panches and Sarpanches may lose their basic qualification to remain members of the Panchayat Samitis if they are not returned on the Gram Panchayats during general elections to the Gram Panchayats, if held later. In such a situation, the Panchayat Samitis and Zila Parishads would become defunct. Thus, it is desirable to hold elections to these bodies after the general elections to the Gram Panchayats so that the new Gram Panchayats are represented in the Panchayat Samitis and Zila Parishads and the term of all the three tiers of the Panchayati Raj Institutions may be co-terminus. It generally takes about two months to hold Gram Panchayat elections. Therefore, a period of more than four and a half months is required to conduct elections to the Panchayat Samitis and Zila Parishads after observing all the legal formalities.

3. It has, therefore, been decided that the period of temporary supersession may be extended for another six months by amending the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978 (Punjab Act 29 of 1978) by a Presidential enactment.

4. Parliament has, under article 357(1)(*a*) of the Constitution, conferred on the President the power of the Legislature of the State of Punjab to make laws vide the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

5. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall, before enacting any President's Act consult a Committee constituted for the purpose, consisting of members of both the Houses of Parliament. As the permissible period of supersession of the Punjab Panchayat Samitis and Zila Parishads under the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978 expires on the 11th January, 1991, and as the amending Act ought to come into force on the

12th January, 1991, it is not practicable to consult the aforesaid Committee prior to the enactment of this Bill. The measure is, accordingly, being enacted without reference to the aforesaid Committee.

S. R. SANKARAN,
Secretary to the Govt. of India,
Ministry of Agriculture
(Department of Rural Development).

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